

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:25-cr-42

vs.

CARTER KANGAS,

District Judge Michael J. Newman

Defendant.

---

**ORDER: (1) GRANTING THE PARTIES' UNOPPOSED, JOINT MOTION TO HOLD THE BRIEFING SCHEDULE IN ABEYANCE AND TO RETURN DEFENDANT TO STATE CUSTODY (Doc. No. 24); (2) STAYING THE BRIEFING SCHEDULE ON DEFENDANT'S MOTION TO DISMISS THE INDICTMENT (Doc. No. 21); (3) LIFTING THE FEDERAL COURT DETAINER NOW IN EFFECT; (4) DIRECTING OFFICIALS AT THE MONDAY COMMUNITY CORRECTIONAL INSTITUTION TO GIVE THE U.S. MARSHALS SERVICE FIFTEEN DAYS' NOTICE BEFORE DEFENDANT'S RELEASE FROM THE INSTITUTION; AND (5) FINDING THE SPEEDY TRIAL CLOCK IS TOLLED DUE TO THE PENDENCY OF DEFENDANT'S MOTION TO DISMISS**

---

This criminal case is before the Court upon Defendant's motion to dismiss the indictment (Doc. No. 21) and the parties' unopposed, joint motion to hold the briefing schedule in abeyance and to return Defendant to state custody (Doc. No. 24). On August 12, 2025, the Court held a telephone status conference with the parties for the purpose of discussing the joint motion. AUSA Brent Tabacchi appeared on behalf of the Government and AFPD F. Arthur Mullins appeared on behalf of Defendant. Pursuant to the record of the August 12<sup>th</sup> status conference and for good cause shown, the Court **GRANTS** the parties' unopposed, joint motion. Doc. No. 24. Accordingly, the Court **STAYS** the briefing schedule on Defendant's motion to dismiss the indictment pending the Sixth Circuit's decision in *United States v. Vanochten*, Case No. 23-1901.

The Court also **LIFTS** the federal court detainer now in effect. The Court understands Defendant will serve his six-month state sentence at the lockdown MonDay Community Correctional Institution in Montgomery County, Ohio. The Court **DIRECTS** officials at the MonDay Community Correctional Institution to give the U.S. Marshals Service **FIFTEEN DAYS' NOTICE** before Defendant's release from the Institution.

Finally, the Court finds, pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (H), the Speedy Trial Act deadline in the instant case was **TOLLED** on June 30, 2025, and continues to be tolled, due to the pendency of Defendant's motion to dismiss the indictment.

**IT IS SO ORDERED.**

August 13, 2025

*s/Michael J. Newman*  
Hon. Michael J. Newman  
United States District Judge

cc: United States Marshals Service